

LAW OFFICES
GOLDBERG, GODLES, WIENER & WRIGHT LLP
1229 NINETEENTH STREET, N.W.
WASHINGTON, D.C. 20036

HENRY GOLDBERG
JOSEPH A. GODLES
JONATHAN L. WIENER
DEVENDRA ("DAVE") KUMAR
LAURA A. STEFANI

—
HENRIETTA WRIGHT
THOMAS G. GHERARDI, P.C.
COUNSEL

—
THOMAS S. TYCZ*
SENIOR POLICY ADVISOR
*NOT AN ATTORNEY

(202) 429-4900
TELECOPIER:
(202) 429-4912
general@g2w2.com

May 2, 2013

ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Ex Parte, RM-11429, RM-11640

Dear Ms. Dortch:

This is to inform you that on April 30, 2013, Brett Kilbourne, Vice President, Government and Industry Affairs and Deputy General Counsel, Utilities Telecom Council ("UTC"), and Amy Mehlman, Mehlman Capitol Strategies representing Winchester Cator, LLC ("Winchester Cator") met with Louis Peraertz, Legal Advisor to Commissioner Mignon Clyburn, and, separately, with Priscilla Argeris, Legal Advisor to Commissioner Jessica Rosenworcel.

The purpose of the meeting was to discuss the Petition for Rulemaking filed by UTC and Winchester Cator in RM-11429, particularly in light of the recent announcement that the Commission plans to consider a Notice of Proposed Rulemaking an Air-Ground Mobile Broadband service in the 14.0-14.5 GHz band at the Commission's May 9, 2013 open meeting. Given that UTC/Winchester Cator petition also pertains to the 14.0-14.5 GHz band, Ms. Mehlman and Mr. Kilbourne urged the Commission to include the UTC/Winchester Cator petition's proposed use of this spectrum band for smart grid and other critical infrastructure industry ("CII") uses and for wireless

backhaul among the proposed uses of the 14.0-14.5 GHz band discussed in the upcoming NPRM.

Given the two different proposed uses of the 14.0-14.5 GHz band discussed in the two petitions filed in the above-captioned dockets, Ms. Mehlman and Mr. Kilbourne noted that it would be inefficient to consider the petitions separately. Instead, the Commission should ask questions in the upcoming NPRM about the compatibility of both proposed uses of the 14.0-14.5 GHz band with existing users of the spectrum. Ms. Mehlman and Mr. Kilbourne also discussed possible interference criteria that would allow the wireless services proposed in the UTC and Winchester Cator petition while protecting existing services, and noted that UTC and Winchester Cator were willing to meet an interference threshold of less than 6 percent, including the 1 percent threshold proposed by QUALCOMM or any other appropriate interference threshold that the Commission ultimately decides to establish.

Ms. Mehlman and Mr. Kilbourne also re-emphasized the need for additional spectrum in the 14.0-14.5 GHz band for smart grid applications and for more robust communications by Critical Infrastructure Industry entities in times of disasters and other emergencies. In addition, Ms. Mehlman and Mr. Kilbourne discussed the importance of making available spectrum in the 14 GHz band for backhaul services, a critical element in continued deployment of broadband services to all Americans.

Please direct any questions regarding this matter to the undersigned.

Respectfully,

A handwritten signature in black ink that reads "Henry Goldberg". The signature is written in a cursive, flowing style.

Henry Goldberg
Counsel to Winchester Cator, LLC

cc: Louis Peraertz
Priscilla Argeris